IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
ADMIRALTY & VICE ADMIRALTY JURISDICTION

NOTICE OF MOTION NO. 4473 OF 2006
IN
APPEAL NO. 905 OF 2006
IN
ADMIRALTY SUIT NO. 03 OF 2003

1. MOTOR VESSEL MANGALAM & ANR. .. APPELLANTS.

V/s.

1. Alice Elizabeth D'Souza & Anr. .. Respondents.

Mr.V.C.Kotwal i/by M/s. Bhatt & Saldhana for the Appellants.

Mr.M.S. Bhandari i/by Ms.Suman Jain for the Respondents 1 and 2.

CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATED : 22nd DECEMBER, 2006.

P.C.:

. We heard Mr.V.C.Kotwal, senior counsel for the Appellants and Mr.M.S.Bhandari, the counsel for the Respondent Nos.1 and 2.

2. Having considered all relevant aspects, we are of the view that the following order shall meet the ends of justice to remain operative until disposal of the Appeal :

i. The Appellants shall deposit the decretal

amount with the Prothonotary and Senior Master of this Court within four weeks from today.

ii. 50% of the amount so deposited shall be invested by the Prothonotary and Senior Master in the fixed deposit of any nationalised Bank, initially for a period of two years, renewable thereafter, for the same period each time until disposal of the Appeal.

iii. The remaining 50% of the amount may be withdrawn by Respondent Nos.1 and 2 on furnishing solvent surety/ security to the satisfaction of the Prothonotary and Senior Master for restitution of the amount in case the Appeal succeeds.

3. Order accordingly.

(R.M.LODHA,J.)

(S.A.BOBDE,J.)

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